

# I/DD Program Bulletin



Lunch and Learn Calls for **consumers, advocates** and other **stakeholders** are every other Wednesday at 12:00 p.m.

Email questions to:

[kancare.ombudsman@kdads.ks.gov](mailto:kancare.ombudsman@kdads.ks.gov)

The next edition of the I/DD Program Bulletin will be distributed on October 1, 2014

Lunch and Learn Calls for **providers** will be held every other week, on Monday's from 11:00 a.m. to 12:00 p.m.

Email questions to:

[providerforum@kdads.ks.gov](mailto:providerforum@kdads.ks.gov)

## Bulletin Update for September 9, 2014

- + Updated Information on AuthentiCare Authorizations
- + Public Forums Regarding Changes to Home and Community Based Service
- + Updates for Lunch and Learn Calls
- + Communication/Information for Crisis Requests and Program Access (Updated 8/1)
- + Information regarding the Kansas Transition Plan
- + I/DD and TBI Waiver Renewal Update
- + TCM Authorization Requests
- + Policy Updates for Client Obligations

**Updated Information on AuthentiCare Authorizations:** MCOs and First Data are involved in the end-to-end testing of the TPL enhancements soon to be released to AuthentiCare® Kansas providers. First Data will schedule training with providers as well as with MCOs once the enhancements are scheduled to implement.

### **Public Forums Regarding Changes to Home and Community Based Services:**

Last week, KDADS held several in-person meetings and also conference calls regarding upcoming changes related to the Department of Labor Final Rule. Nearly 900 people participated either in person or by phone. Topics of focus included;

#### + **What is this about?**

You may know about our country's rules on work.

1. People must be paid at least \$7.25 per hour
2. People can only work 40 hours per week
3. People who work more than 40 hours per week must be paid time and a half for each hour worked over 40

#### + **What is changing?**

The DOL has changed the rules for those who need someone to help them in their homes and communities. It used to be that families and companies that hired someone to help them in their home did not have to follow these rules. Now they do.

## **When do the new rules start?**

January 1, 2015

## **What does this mean for me?**

If KanCare pays for your personal care attendant (PCA), supportive home care (SHC) worker, or personal assistant services (PAS), these rules will apply to you.

- If your worker is provided by an organization or company that hires, fires, and provides, your PCA must follow these rules
- If you self-direct your services (you are the one who hires, fires and trains your PCA) and an organization or company helps you employ your workers, you will need to follow these rules.

## **What can I do?**

Kansas is trying to change the effect of this rule. Our key goals are to ask the federal government;

- To exempt Medicaid programs that support self-direction from the rule
- To delay these rules and not start them on January 1, 2015

## **For public comments on the possible changes:**

1. You can call our offices at 785.296.4986
2. You can email us at [hcbs-ks@kdads.ks.gov](mailto:hcbs-ks@kdads.ks.gov)
3. You can write a letter to KDADS, 503 S. Kansas Ave, Topeka, KS 66603, Attn: DOL Rule

## **How can I help?**

Please help us by contacting the U.S. Dept. of Labor at 1.866.487.9243 or go online to: <http://webapps.dol.gov/contactus/contactus.asp?agency=WHD>

And ask them to:

- Exempt Kansas' self-directing HCBS consumers from the new rules
- Delay the Final Rule from going into effect in order to help Kansas with an orderly transition to meet the requirements of the administrative interpretations of the new rule and the law.


For more information go to: [www.kdads.ks.gov](http://www.kdads.ks.gov)

Attached to the bulletin are;

- A summary of the Department of Labor Rule for consumers, and;
- A summary of the Department of Labor Rule for providers.

## **Lunch and Learn Calls:**

Registration for the calls is required (and must be completed by the day prior to the call). Registration can be completed online at: [http://www.kdads.ks.gov/CSP/IDD/KanCare\\_Imp/IDD\\_Implementation\\_Calendar.html](http://www.kdads.ks.gov/CSP/IDD/KanCare_Imp/IDD_Implementation_Calendar.html)

 **Providers:** Calls are scheduled for every other Monday from 11:00 a.m. to 12:00 p.m. The next call will be on Monday, September 8<sup>th</sup> and then again on September 22<sup>nd</sup>. Callers may continue to submit questions to [PROVIDERFORUM@kdads.ks.gov](mailto:PROVIDERFORUM@kdads.ks.gov). If you experience difficulty registering for the Lunch and Learn calls you may also register by sending your name in an email to [providerforum@kdads.ks.gov](mailto:providerforum@kdads.ks.gov).

 **Call in Number: 1.866.620.7326**

 **Conference Code: 4283583031**

- ✚ **Lunch and Learn Calls for Consumers and Other Stakeholders:** Calls will continue on every other Wednesday from 12:00 to 12:50 for consumers and family members.

✚ **Call in Number: 1.866.620.7326**

✚ **Conference Code: 4283583031**

Dates for upcoming calls and topics that will be discussed:

- September 10, 2014 Appeals Processes
- September 24, 2014 HCBS Amendment/Renewals Update
- October 8, 2014 Authenticare/MFEI Update
- October 22, 2014 HCBS Policies
- November 5, 2014 HCBS Final Rule/Department of Labor Rule
- November 19, 2014 State Fair Hearing Process
- December 3, 2014 Grievances Process
- December 17, 2014 MCO Appeals

There will be a time for Questions and Answers as well. If people want to send in questions ahead of time, they can email or call them to the Ombudsman's office at [KanCare.Ombudsman@kdads.ks.gov](mailto:KanCare.Ombudsman@kdads.ks.gov) or 855.643.8180.

The link to the registration page is on the KDADS website at [http://www.kdads.ks.gov/CSP/CSP\\_Index.html](http://www.kdads.ks.gov/CSP/CSP_Index.html) in the Current News/Topics box and looking for the HCBS Program Lunch and Learn Bi-Weekly Calls for Consumers link. This takes you directly to the list of calls.

- ✚ **Monthly Calls with Targeted Case Managers:** Monthly calls are held on the third Tuesday of each month. The next call will be held on September 16th from 3:00 pm to 4:00 pm. Questions can be e-mailed to [HCBS-KS@kdads.ks.gov](mailto:HCBS-KS@kdads.ks.gov)

✚ **Call in Number: 1.866.620.7326**

✚ **Conference Code: 2850442124**

- ✚ **Calls with CDDOs:** Calls with CDDO Directors are held every other Thursday from 11:00 am to 12:00 pm. Since we are currently still meeting with CDDOs weekly to discuss the FY15 extension/amendment, the bi-weekly calls are on hold and we will notify the CDDOs when we have a date that they will resume.

✚ **Call in Number: 1.866.620.7326**

✚ **Conference Code: 4283583031**

**Communication/Information: Please continue to use the following information.**

Notifications and communication for all HCBS programs should be uploaded in KAMIS and submitted to [hcbs-ks@kdads.ks.gov](mailto:hcbs-ks@kdads.ks.gov) with the appropriate subject line:

- Crisis Request: "IDD Crisis Access Request"
- Exception Request: "IDD Exception Request"
- EF Request: "IDD EF Request"
- Notifications: "IDD Notification"

- ICF-IID Gatekeeping: “**ICF Gatekeeping**”

- *Add suffix*

- Deceased = “**IDD Notification – Deceased**”
    - Termination = “**IDD Notification – Termination**”
    - Renewal/New = “**IDD EF Request – Renewal/New**”

- *Add prefix*

- Expedited = “**Expedited – IDD Crisis/Exception Request**”
    - Add'l Info = “**Add'l Info – IDD Crisis/Exception/EF Request**”
    - Admin Review= “**Admin Review – IDD Crisis/Exception/EF Request**”

🌈 Sandra will intake all requests and prioritizes reviews based on the date of submission. If additional information is necessary, Sandra will contact submitting organization for additional information or schedule a crisis review conference with the submitting organization within 5 business days of receipt of the request. KDADS review team will review the request and make a determination within 10 business days of the date that all necessary information was received.

🌈 At a minimum, the following documents should be included with all Crisis/Exception requests;

- The I/DD Notification Form
- The Person Centered Support Plan
- The Behavior Management Plan (if applicable)
- DCF Information (if indicated)
- Any documentation submitted to the CDDO, which was used as a part of its decision to recommend approval to KDADS
- A statement listing the community resources that have been exhausted prior to submission of the crisis to KDADS
- MCO recommendation or communication regarding Medicaid-funded supports and services (if applicable)


🌈 For the IDD program, a notice of action approving or denying the request will be sent to the consumer and guardian (if applicable) with a copy to the submitting organization and a copy to the consumer’s managed care health plan when applicable. Access to services will not be approved retroactively, if the request is emergent, the submitting organization will need to request an expedited review via conferencing to Sandra Andrews. KDADS will send the 3160 to DCF to provide access to services.

🌈 For any questions or issues related to Crisis and Exception requests, please contact Kimberly Pierson at [Kimberly.Pierson@kdads.ks.gov](mailto:Kimberly.Pierson@kdads.ks.gov).

🌈 **IDD and TBI Waiver Renewal Update:** The Centers for Medicare and Medicaid Services (CMS) and the State of Kansas have agreed that the best way for the state to move forward on achieving compliance with CMS’s new HCBS settings rule is for the state to request a 90-day extension of its TBI and IDD waivers, until September 30, 2014. The transition plan will then be incorporated in the IDD and TBI waivers for submission prior to September 30, 2014.

🌈 **TCM Authorization Requests:** For TCM Prior Authorizations, TCMs should make the request on the TCM prior authorization application as before. The MCOs will review these and the MCO determination

will be noted on the TCM PA application. The MCO will be requesting log notes to review prior to authorizations.

 **Policy Updates for Client Obligations:** KDADS is currently working with KDHE on final draft language to policy regarding assignment of client obligations. The policy will read:

Effective with eligibility dates November 1, 2014, when assigning client obligations, the following services are generally excluded:

<b><u>Codes</u></b>	<b><u>Service</u></b>	<b><u>HCBS Program</u></b>
H2015	Autism Specialist	Autism Waiver
T2040 U2	FMS – Admin	FE, I/DD, TBI, MFP, TA, PD
S5170	Meals Providers	PD, MFP, TBI
T1002	Interim Med Services	TA
S5160	PER- install, Home	FE, PD, MFP, TBI
S0315	Telehealth - install	FE, MFP
S5161	PER	FE, I/DD, PD, MFP, TBI
S5190	Wellness Monitoring	I/DD, PD, MFP
S5185	Medication Reminder	TBI
T1505 UB	Med Reminder Dispenser	TBI
T1505	Med Reminder Install	TBI
T1017	Targeted Case Management	I/DD

Code S5165 for Home Modification Services for PD, MFP, TA, and TBI was removed from the excluded services list, and T1017 for Targeted Case Management for IDD has been added to the excluded services list. Codes on the exclusion list will generally be excluded from client obligation; however, if they are the only service on an individual's Integrated Service Plan, then client obligation can be applied to these services. If client obligation exceeds the cost of care, then the individual will no longer be eligible for services.

The following steps should be followed to notify consumers and providers of the assigned obligations:

- A. The MCO shall notify the consumer and/or representative in writing of which service and service provider will be assigned the client obligation, including the amount of the assignment within 5 business days of State system notification.
- B. The MCO shall notify the service provider or providers in writing within 5 business days of the State system notification, the amount of client obligation that will be assigned towards the service or services. It is the responsibility of the service providers to collect the client obligation directly from the consumer.
- C. If an adjustment to the amount of client obligation is necessary, the MCO must notify the consumer and service provider or providers within 5 business days of State system notification, the adjustment notice that includes; adjusted amount, effective date, effected service or services.

**Note: Further information will be provided as we get closer to the final policy implementation date.**